

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

NOV 18 2010

Phil Lombardi, Clerk
U.S. DISTRICT COURT

(1) BRITTANY RICHARDSON HALL,
Plaintiff,

v.

(1) UNITED STATES OF AMERICA, and
(2) DR. MICHAEL FREEMAN,
Defendants.

Case No.

10 CV - 735 CVE FHM

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff, Brittany Richardson Hall ("Ms. Hall"), for her cause of action against Defendants, alleges and states as follows:

1. At the time of the events on which this lawsuit is based, Ms. Hall was a resident of Ottawa County, State of Oklahoma.

2. Upon information and belief, Defendant, Dr. Michael Freeman ("Dr. Freeman"), is a resident of Rogers County, State of Oklahoma.

3. The acts and omissions on which this lawsuit is based occurred at Claremore Indian Hospital which is a facility owned and operated by the federal government in Rogers County, State of Oklahoma.

4. Jurisdiction is proper in this Court pursuant to 28 U.S.C. § 1346(b).

5. Venue is proper in this Court because the acts and omissions on which this lawsuit is based occurred within the geographical area which encompasses the Northern District of Oklahoma.

6. The events on which this lawsuit is based occurred in December, 2008. On or about April 29, 2010, Ms. Hall timely presented a Notice of Tort Claim to the proper agencies of the federal government. The six month time period for federal review of the tort claim expired

on or about October 29, 2010; therefore, Ms. Hall's claim is deemed denied and she is permitted to proceed with filing suit in federal court.

7. On December 16, 2008, Dr. Freeman chose to proceed with surgery on Ms. Hall and performed a laparoscopic cholecystectomy on her at Claremore Indian Hospital in Claremore, Oklahoma. Dr. Freeman was responsible for providing follow-up care and treatment to Ms. Hall subsequent to her surgery.

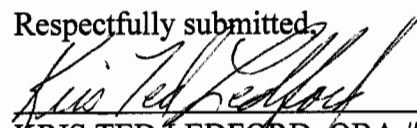
8. With regard to the treatment provided to Ms. Hall, the acts and omissions by Dr. Freeman and other employees/agents of Claremore Indian Hospital were negligent.

9. As owner and operator of the Claremore Indian Hospital, the United States is vicariously liable for the negligence of Dr. Freeman and the negligence of other employees/agents of Claremore Indian Hospital.

10. As a result of the combined negligence of all Defendants, Ms. Hall suffered damages.

WHEREFORE, Ms. Hall demands judgment against Defendants in an amount in excess of \$75,000.00 plus interest, costs, and all other relief which the Court deems just and proper.

Respectfully submitted,


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ATTORNEYS LIEN CLAIMED